

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 AGR-05 SP-02 USIA-06 AID-05

NSC-05 CIEP-01 TRSE-00 SS-15 STR-04 OMB-01 CEA-01

CIAE-00 COME-00 FRB-03 INR-07 NSAE-00 XMB-02 OPIC-03

LAB-04 SIL-01 PA-01 PRS-01 L-03 H-02 /092 W

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R 271344Z JUL 76

FM AMEMBASSY PARIS

TO SECSTATE WASHDC 3340

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PASS AGRICULTURE

E.O. 11652: N/A

TAGS: ETRD, EAGR, FR

SUBJECT: FRENCH RESTRICTIONS ON CIGARETTE ADVERTISING

REF: (A) PARIS 11873, (B) STATE 150441

1. JULY 9 NATIONAL ASSEMBLY PASSED ANTI-TOBACCO LAW
WHICH PROVIDES, INTER ALIA, THAT:

A. TOBACCO AND TOBACCO PRODUCTS CANNOT BE ADVERTISED
ON RADIO, TELEVISION, IN MOVIE THEATERS, ON BILLBOARDS
OR VIA PROMOTIONAL ITEMS (IF THE NAME OR TRADEMARK
APPEARS THEREON), ETC. ADVERTISING DURING SPORTING
EVENTS (EXCEPT MOTOR RACES) IS ALSO PROHIBITED.

B. CIGARETTES CAN BE ADVERTISED IN THE PRESS, BUT
SPACE ALLOTTED CANNOT EXCEED THE AVERAGE FOR THE YEARS
1974 AND 1975.

C. IN TWO YEARS NICOTINE AND TAR CONTENT AS WELL AS
A NOTATION THAT CIGARETTE SMOKING IS DANGEROUS ("ABUS

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DANGEREUX") MUST BE PRINTED ON CIGARETTE PACKAGES.

2. DURING COURSE OF ASSEMBLY MARKUP OF BILL, PHILLIP MORRIS REPS WERE ACTIVE BEHIND THE SCENES IN SEEKING TO MODIFY LAW. AT THEIR BEHEST, EMBASSY PROVIDED ASSISTANCE WHICH CONSISTED OF: FURNISHING NAMES OF DEPUTIES MOST LIKELY TO BE DISPOSED TO PHILLIP MORRIS' ARGUMENTS, ARRANGING APPROPRIATE APPOINTMENTS AND FOLLOWING TIMING OF BILL AS IT MOVED THROUGH LEGISLATIVE PROCESS. IN OUR DISCUSSIONS WITH PHILLIP MORRIS REPS WE SAID WE THOUGHT THEIR CHANCES OF BLUNTING IMPACT OF LAW WERE MINIMAL. SINCE PASSAGE OF LAW, WE HAVE HEARD NOTHING FURTHER FROM PHILLIP MORRIS.

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3. REGARDING QUESTIONS RAISED REFTTEL B, THEY ARE SOMEWHAT TAKEN OVER BY EVENTS. HOWEVER, EMBASSY HAS CONTACTED SEITA AND WILL FORWARD 1975 ANNUAL REPORT (WHICH APPEARS END AUGUST) AS WELL AS 1974 REPORT.

4. COMMENT: ONE REASON WHY GOF WAS RELUCTANT TO GO

PRICE-INCREASE ROUTE (AS OPPOSED TO, OR IN CONJUNCTION WITH, PUBLICITY PROHIBITION APPROACH) IS FACT THAT GAULOISE BRAND CIGARETTES (A SEITA PRODUCT) ARE INCLUDED AS ITEM IN LIST OF PRODUCTS COMPRISING COST-OF-LIVING INDEX. THUS, PRICE INCREASE IN GAULOISE WOULD INCREASE COST-OF-LIVING INDEX, AN UNDESIRABLE DEVELOPMENT IN VIEW OF GOF'S PREOCCUPATION WITH INFLATION. REGARDING THE IMPACT OF THE PUBLICITY RESTRICTIONS, A GOF OFFICIAL TOLD AN EMBOFF THAT IT WOULD LIKELY WORK AGAINST SEITA AND IN FAVOR OF FOREIGN CIGARETTE MANUFACTURERS. THE REASON IS THAT SEITA IS PROSCRIBED FROM ADVERTISING ON THE TELEVISION AND RADIO STATIONS WHICH SURROUND FRANCE, E.G. EUROPE ONE, RADIO T.V. LUXEMBOURG, RADIO T.V. MONTE CARLO, WHEREAS FOREIGN LIMITED OFFICIAL USE

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COMPANIES CAN TAKE FULL ADVANTAGE OF THESE FACILITIES TO BEAM PUBLICITY TO FRENCH AUDIENCES ON PERIPHERY.

5. EMBASSY POUCHING COPIES OF LAW AND SEITA ANNUAL REPORT TO DAUMAN, OFFICE OF INTERNATIONAL TRADE POLICY, USDOC.
GAMMON

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